**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.22674 of 2006

Dated: 08-11-2006

Between:

Sanapala Lalitha Kuari.

**..... PETITIONER**

AND

The District Registrar of Assurances, (Stamps and Registration), Visakhapatnam, and others.

**.....RESPONDENTS**

**THE HON'BLE SRI JUSTICE V.V.S. RAO**

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ORDER:

The petitioner purchased land admeasuring 1335 sq.yards (1116.233 sq. meters) bearing plot Nos.84 to 88 in survey No.5 situated at Vepagunta Village and Taluk in Visakhapatnam under an agreement of sale-cum-General Power of Attorney from respondent No.3 on 15-05-2006. After making enquires with respondent No.2, she paid stamp duty and registration charges, and presented the document for registration, but the same has been kept pending as document bearing No.PNO.177/06 as seen from the receipt dated 15-05-2006 issued by respondent No.2. The petitioner alleges that the document has been kept pending without any reason and therefore, seeks a direction to respondent No.2 to register the same.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-A). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01-09-2004.

Following the said judgment, this writ petition is disposed of directing respondent No.2 or any other Registering Officer to accept the document presented by the petitioner and consider the same for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioner has any grievance, she may file appeal before the first respondent under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, she can file a suit under Section 77 of the Act. No costs.

**V.V.S.RAO, J**

08th November, 2006

Note: Issue CC in one week.

B/o

ghn